

State of Wisconsin\Government Accountability Board

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JUDGE THOMAS CANE
Chair

KEVIN J. KENNEDY
Director and General Counsel

August 28, 2008

The Honorable J. B. Van Hollen, Attorney General
Wisconsin Department of Justice
State Capitol, Room 114 East
Madison, WI 53702

Dear Attorney General Van Hollen:

I am writing on behalf of the Government Accountability Board in response to the issue you raised in your August 27, 2008 correspondence. The Board carefully considered the issues you raised along with a recommendation prepared by its staff. The Board also heard from representatives of the Republican Party of Wisconsin and the Democratic Party of Wisconsin along with several local election officials.

The Board voted to continue its practice of requiring all voter registration applications entered into the Statewide Voter Registration System (SVRS) to be matched against the Department of Transportation's drivers' records and where applicable the records maintained by the Social Security Administration. The SVRS has been used on a statewide basis since the 2006 fall elections.

The Wisconsin Government Accountability Board and its predecessor, the State Elections Board, have worked diligently to create a centralized electronic database of registered voters as part of its increased efforts to safeguard against voter fraud in state elections. Since 2006, Wisconsin has required verification of new voter registration applications through an identifying document, a confirmation letter mailed to the voter, or both. These tools are used by local election officials across the state to ensure that new voters are who they say they are, and live where they say they live. Local election officials have been using the database to remove felons and deceased individuals from the voter rolls.

Beginning August 6, 2008, the system became capable of cross-checking the existing database of registered voters with the Department of Transportation's database of licensed drivers and others holding state-issued identification cards. This matching process is a further step to ensure that individuals registered to vote are state residents entitled to vote. The Board has been using the system to subject to matching every individual who has registered to vote since the new function became operational.

At its meeting of August 27, 2008, the Board rejected a request that it immediately expand its matching efforts to include every voter entered into the voter registration database since January 1, 2006. This has been criticized as an invitation to voter fraud. To take the requested action now is premature and could lead to mass confusion at the polls.


The initial matching effort has shown that there is an inconsistency in the information contained in the two databases for 22% of all individuals. No one seriously believes that this indicates 22% of all registering voters are committing fraud. Rather, in the overwhelming number of cases, there is simply a typographical error, a voter using a nickname, or a missing middle initial or middle name. In some cases the voter registration information may be correct, in others the DOT information.

If the Board were to use such discrepancies to challenge a citizen's right to vote in the upcoming election, before the Board and local election officials have a chance to address these clerical and technical errors, more than 20,000 Wisconsin voters could be wrongfully disenfranchised or forced to cast provisional ballots - simply because two different state agencies have two different databases.

The Board is committed to the fundamental concept that the right of every eligible person to vote in Wisconsin must be fully and unequivocally protected and that every valid vote must be accurately counted. By the same token, the electoral process must be protected from fraud. The Board balanced these two concerns and concluded that it is in the best interest of the citizens of this State to continue its matching efforts until the entire voter registration database is as accurate as can be humanly achievable and it would be counter-productive to rush this effort and risk at best, unnecessary difficulty and confusion at the polls and, at worst, the disenfranchisement of citizens with a legitimate right to vote.

We understand the concerns of our citizens whenever they read reports or hear that those who should not vote for whatever reason, may be getting a backdoor pass to vote. We want to set the record straight! Wisconsin's citizens can take comfort in the fact that the Board, in partnership with our staff and over 2,000 fiercely committed and devoted election officials, will ensure the integrity of our electoral process. The rights of every voter will be protected, and every valid vote will be counted.

Government Accountability Board



Kevin J. Kennedy
Director and General Counsel